

IN RE: PETITION FOR SPECIAL HEARING
W/S Cypress Avenue, 175' SW of
North Point Road
(7616 Cypress Avenue)
12th Election District
7th Councilmanic District

Dhowkee Persaud, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-426-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Dhowkee and Shrikriti Persaud, through their attorney, Francis X. Borgerding, Jr., Esquire. The Petitioners seek approval of the dwelling on the subject property as a legal, nonconforming three apartment dwelling, or, in the alternative, as a nonconforming two apartment dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Dhowkee and Shrikriti Persaud, property owners, their daughter, Dee Mohamed, Paul Lee, Professional Engineer, who prepared the site plan for this property, and Francis X. Borgerding, Jr., Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 7,080 sq.ft., zoned D.R. 5.5, and is improved with a dwelling currently containing three apartments. The Petitioners filed the instant Petition as a result of being cited with a code violation notice by the Department of Permits and Development Management as to the use of the property as a multi-family dwelling. Testimony indicated

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Date 7/26/98
By [Signature]

that the Petitioners purchased the subject property in 1987 at which time it contained three apartments. The Petitioners testified that the prior owners told them that the house was always used as three apartments, and the Petitioners have continued to use the house as such since their purchase of same in 1987. To further support their request, the Petitioners interviewed several elderly residents in the surrounding community and determined that the house has always been used as a multi-family dwelling. While the Petitioners were unable to establish the exact number of apartments that existed prior to 1945, which is the controlling year for a three-apartment use, they were able to prove that the property has been at least a two-apartment dwelling since prior to 1955, which is the controlling year for a two-apartment use.

As with all nonconforming use cases, the first task is to determine whether a lawful nonconforming use existed on the subject property prior to the year in which a change in the zoning regulations caused the use of the property to become illegal. The controlling year in this case is 1955.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered nonconforming. See McKemy v. Baltimore County, Md., 39 Md. App.257, 385 A2d. 96 (1978).

When the claimed nonconforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use

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By [Signature]

represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the nonconforming use, the Zoning Commissioner should consider the following factors:

"(a) To what extent does the current use of the property reflect the nature and purpose of the original nonconforming use;

(b) Is the current use merely a different manner of utilizing the original nonconforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original nonconforming use."

McKemy v. Baltimore County, Md., Supra.

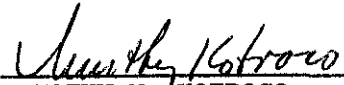
After due consideration of the testimony and evidence presented, it is clear that the subject property has been used continuously and without interruption as a two-apartment dwelling since prior to 1955; however, there was insufficient evidence to prove that the property existed as a three-apartment dwelling prior to 1945, which is the controlling year in this instance. Therefore, it appears that the property enjoys a legal, nonconforming use as a two-apartment dwelling, and as such, the alternative relief sought in the special hearing request shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the alternative relief requested in the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of July, 1998 that the house on the subject property is a legal, nonconforming, two-apartment dwelling, and as

such, the alternative relief requested in the Petition for Special Hearing be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Within ninety (90) days of the date of this Order, the Petitioners shall remove one of the apartments and convert the subject dwelling into a two-apartment use.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 7/20/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

July 20, 1998

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
W/S Cypress Avenue, 175' SW of North Point Road
(7616 Cypress Avenue)
12th Election District - 7th Councilmanic District
Dhowkee Persaud, et ux - Petitioners
Case No. 98-426-SPH

Dear Mr. Borgerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Dhowkee Persaud
16 S. Essex Avenue, Baltimore, Md. 21221

Mr. Paul Lee, Century Engineering
32 West Road, Towson, Md. 21204

Code Enforcement Division, DPDM; People's Counsel; Case Files





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7616 Cypress Ave.; Baltimore, MD 21224

which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

a nonconforming use for a 3 apartment dwelling or in the alternative
a nonconforming 2 apartment dwelling in a D. R. 5.5 zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Francis X. Borgerding, Jr.
(Type or Print Name)

Signature

409 Washington Ave., #600

Address Phone No. 410/2966820

Towson, MD 21204

City State Zipcode

Legal Owner(s):

Dhowkee Persaud

(Type or Print Name)

Signature

Shrikriti Persaud

(Type or Print Name)

Signature

16 S. Essex Ave. 296-6820
Address Phone No.

Baltimore, MD 21221
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: JRF DATE 5-8-98

ORDER RECEIVED FOR FILING

Date

By



98-426-SPH

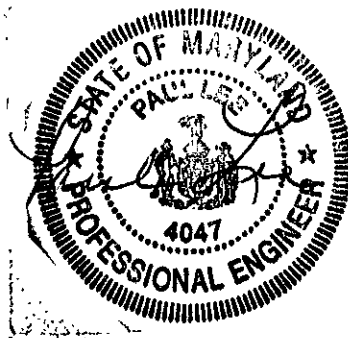
#426

**DESCRIPTION
7616 CYPRESS AVENUE
ELECTION DISTRICT 12C7
BALTIMORE COUNTY, MARYLAND**

BEGINNING for the same at a point on the west side of Cypress Avenue, said point also being located Southwesterly 175'± from the center of North Point Road; thence running with and binding on said West side of Cypress Avenue,

- (1) Southwesterly 60 feet; thence leaving said West side of Cypress Avenue the following courses and distances;
- (2) Northwesterly 100 feet;
- (3) Northeasterly 60 feet and
- (4) Southeasterly 100 feet to the West side of Cypress Avenue and said point of beginning.

CONTAINING 6000 square feet of land, more or less.



426

Wfile\Indwp\Cypress-9805800-des

March 23, 1998

98-426-SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 52891

DATE 5-8-98 ACCOUNT R-001-615-000

AMOUNT \$ 250.00

RECEIVED
FROM:

Shrikirti Persaud

FOR:

01 - Venues Item # 426
040 - Special Hearing Taken by: JRF

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESSED RETURN THE
5/08/1998 5:00/1998 14:55:52
RECEIVED CASHIER JRF FOR DEWATER 2
5 MISCELLANEOUS CASH RECEIPT
Receipt # 044857
CR MD. 050891

250.00 CASH
Baltimore County, Maryland

CASHIER'S VALIDATION

98-426-SPH

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/4, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/4, 1998.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

NOTICE OF ZONING HEARINGS

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #98-426-SPH
7616 Cypress Avenue
W/S Cypress Avenue, 175
SW of Centenary North Point
Road
12th Election District
7th Condemnation District
Legal Owner(s): Dhowke &
Shrikoti Persaud

Special Hearing: to approve a nonconforming use for a 3-apartment dwelling or, in the alternative, a nonconforming 2-apartment dwelling.
Hearing: Tuesday, June 23, 1998 at 10:00 a.m. in Room 407, County Courts Bldg., 401 Rosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353
(2) For information concerning the file and/or hearing, Please Call (410) 887-3353.
6/027 June 4 C223411

CERTIFICATE OF POSTING

RE: Case # 98-426-SPH
Petitioner/Developer:
(Dhowkee Persaud)
Date of Hearing/Closing:
(June 23, 1998)

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

**This letter is to certify under the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at _____
7616 Cypress Ave. Baltimore, Maryland 21224 _____**

**The sign(s) were posted on _____ June 8, 1998 _____
(Month, Day, Year)**

Sincerely,

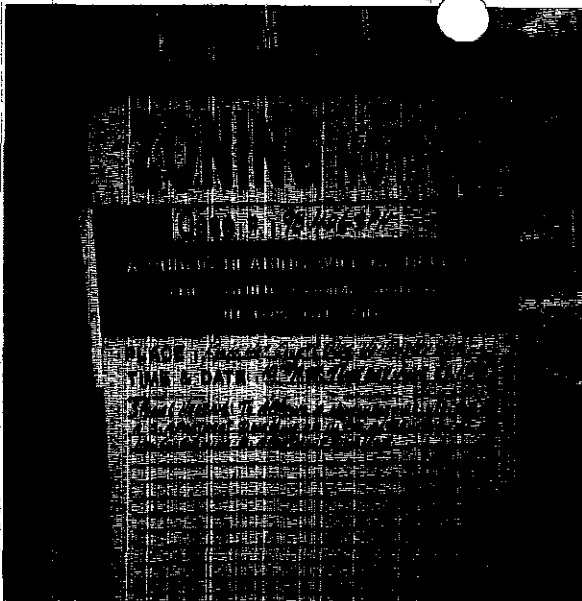

(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

**_____ (410)-687-8405 _____
(Telephone Number)**



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: # 426

Petitioner: Dhowkee Persaud

Address or Location: 7616 Cypress Ave, Balto, Md 21224

PLEASE FORWARD ADVERTISING BILL TO:

Name: Dhowkee Persaud

Address: 16 S. Essex Ave.
Baltimore, Md 21221

Telephone Number: 296-6820 /o Frank Bergerding

Revised 2/20/98 - SCJ

98-426-SPH

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-426-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: Special Hearing - a non-conforming use for a
3 apartment dwelling or in the alternative a non-
conforming 2 apartment dwelling in a DR 5-5 zone.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
June 4, 1998 Issue - Jeffersonian

Please forward billing to:
Dhowkee Persaud
16 South Essex Avenue
Baltimore, MD 21221

No Telephone Number
(Attorney - Frank Borgerding -
410-296-6820)


NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-426-SPH
7616 Cypress Avenue
W/S Cypress Avenue, 175' SW of centerline North Point Road
12th Election District - 7th Councilmanic District
Legal Owner: Dhowkee & Shrikriti Persaud

Special Hearing to approve a nonconforming use for a 3-apartment dwelling or, in the alternative, a nonconforming 2-apartment dwelling.

HEARING: Tuesday, June 23, 1998 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 18, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-426-SPH

7616 Cypress Avenue

W/S Cypress Avenue, 175' SW of centerline North Point Road

12th Election District - 7th Councilmanic District

Legal Owner: Dhowkee & Shrikriti Persaud

Special Hearing to approve a nonconforming use for a 3-apartment dwelling or, in the alternative, a nonconforming 2-apartment dwelling.

HEARING: Tuesday, June 23, 1998 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, reading "Arnold Jablon" with a stylized flourish at the end.

Arnold Jablon
Director

c: Francis X. Borgerding, Jr., Esquire
Shrikriti & Dhowkee Persaud

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 8, 1998.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.**



RE: PETITION FOR SPECIAL HEARING
7616 Cypress Avenue, W/S Cypress Avenue, 175'
SW of c/I North Point Rd, 12th Election District, 7th
Councilmanic

Legal Owners: Dhowkee Persaud & Shrikriti
Persaud

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 98-426-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of June, 1998, a copy of the foregoing Entry of Appearance was mailed to Francis X. Borgerding, Esq., DiNenna & Breschi, 409 Washington Avenue, Suite 600, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 15, 1998

Francis X. Borgerding, Jr. Esq.
409 Washington Avenue, Suite 600
Towson, MD 21204

RE: Item No.: 426
Case No.: 98-426-SPH
Petitioner: Dhowkee and
Shrikriti Persaud
Location: 7616 Cypress Avenue

Dear Mr. Borgerding:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 8, 1998.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

June 2, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: DHOWKEE PERSAUD AND SHRIKRITI PERSAUD

Location: DISTRIBUTION MEETING OF MAY 18, 1998

Item No.: 426 Zoning Agenda:

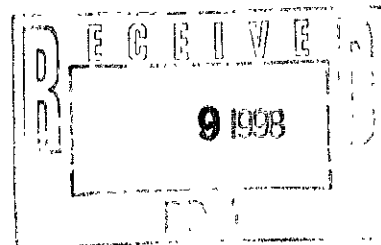
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



INTEROFFICE CORRESPONDENCE

SUBJECT: Zoning Advisory Committee Meeting
for May 26, 1998
Item No. 426

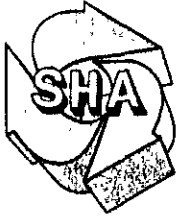
The Development Plans Review Division has reviewed the subject zoning item. Cypress Avenue is an existing road which shall ultimately be improved as a 30-foot street cross section on a 50-foot right-of-way.

The issue of parking shall be clearly addressed.

RWB:HJO:jrb

cc: File

ZONE0526.426



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 5 15.91
Item No. 426 JRF

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

to Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley *RBS*
Permits and Development Review
DEPRM

DATE: 5/20/92

SUBJECT: Zoning Advisory Committee
Meeting Date: May 13, 92

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

416	423
417	424
418	425
420	426

RBS:sp

BRUCE2/DEPRM/TXTS8P

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: May 18, 1998

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item No. 413, 418, 419, 420, 421, 422, 424, and 426

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

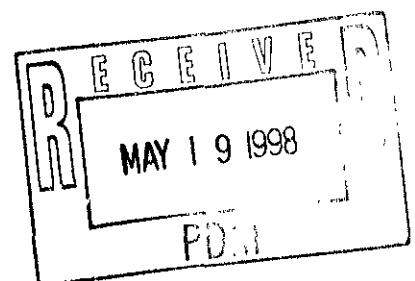
Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

AFK/JL



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

PAUL LEE
Dee Mohamed
Dhanbeer Persaud
Shikhi Persaud

32 WEST ROAD
16 S. Essex Ave.
16 S Essex Ave
16 S. Essex Ave



This Deed, MADE THIS 15th day of October,

in the year one thousand nine hundred and eighty-seven,
LAWRENCE A. LICEFI and BONNIE H. LICEFI, his wife,

by and between

of Baltimore County, State of Maryland,

of the first part, and

DHOWKEE PERSAUD and SHRIKRITI PERSAUD, his wife,

of the second part.

WITNESSETH, That in consideration of the sum of \$85,000.00 being the actual amount of consideration paid or to be paid in connection with this transaction, the receipt of which is hereby acknowledged,

the said LAWRENCE A. LICEFI and BONNIE H. LICEFI, his wife,

B R C F 14.00
B T TX 425.00
B DOCS 425.00
DEED 0
SM CLERK 864.00
#01857 0004 R01 T10:
11/05

do grant and convey to the said DHOWKEE PERSAUD and SHRIKRITI PERSAUD, his wife, as tenants by the entireties, their assigns, the survivor of them and unto the survivor's

personal representatives/successors and assigns

, in fee simple, all

those

lots of ground situate in Baltimore County, State of Maryland,

and described as follows, that is to say:

BEGINNING FOR THE FIRST THEREOF and being all those 3 lots or parcels of ground known and designated as Lots Nos. 39, 40 and 41 as shown on the Plat of East View which plat is recorded among the Land Records of Baltimore County in Plat Book Liber LMCL.M. No. 9, Folio 117. The improvements thereon now being known as No. 7616 Cypress Avenue.

BEGINNING FOR THE SECOND THEREOF and being all those 3 lots or parcels of ground known and designated as Lots Nos. 42, 43 and 44 as shown on the Plat of East View which plat is recorded among the Land Records of Baltimore County in Plat Book Liber LMCL.M. No. 9, Folio 117. The improvements thereon now being known as Nos. 7618 and 7620 Cypress Avenue.

BEING ALL AND THE SAME lots of ground and premises which by Deed dated December 23, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3954, Folio 206 was granted and conveyed by Jane Lowell unto Lawrence A. Licefi and Bonnie H. Licefi, his wife, the Grantors herein.

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE

JR DATE 10-27-87

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION

JR 10-27-87
CLERK DATE

JUL 7 7 17 PM '632

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND To HOLD the said described lot s of ground and premises to the said

DHOWKEE PERSAUD and SHRIKRITI PERSAUD, his wife, as tenants by the entireties, their assigns, the survivor of them and unto the survivor's

personal representatives ~~successors~~

and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors.

Test:

[Signature]

Lawrence A. Licefi (SEAL)
LAWRENCE A. LICEFI

Bonnie H. Licefi (SEAL)
BONNIE H. LICEFI

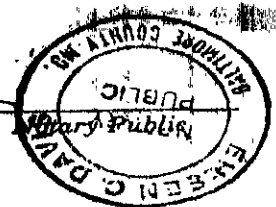
STATE OF MARYLAND, BALTIMORE COUNTY, to wit.

I HEREBY CERTIFY, That on this 15th day of October in the year one thousand nine hundred and eighty-seven the subscriber, a Notary Public of the State aforesaid, personally appeared

, before me,

LAWRENCE A. LICEFI and BONNIE H. LICEFI, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal

[Signature] 

My Commission expires:

July 1, 1990

Bass + Demick, P.A.
7 N. Calvert St.
21202

CIRCUIT COURT FOR BALTIMORE COUNTY
Suzanne Mensh
Clerk of the Circuit Court
County Courts Building
401 Bosley Avenue
P.O. Box 6754
Towson, MD 21285-6754
(410)-887-2601, TTY for Deaf: (800)-735-2258
Maryland Toll Free Number (800) 938-5802

Case Number: 03-C-94-011583

TO: FRANCIS X BORGERDING, JR
409 Washington Ave
Ste 600
Towson, MD 21204

Received
12/11/97

492 Baltimore City aforesaid personally appeared Joseph M Wehner and Elizabeth R Wehner his wife known to me (or satisfactorily proven) to be the above named grantors and severally acknowledged the foregoing Deed to be their respective act and in my presence signed and sealed the same

As Witness my hand and Notarial Seal

(Notarial Seal) My commission expires May 2 1949 Charles H Kresslein Notary Public
Rec May 20 1948 at 11:30 A M & exd per T Braden Silcott Clerk (Rec by BLM) Exd CH & DC

54629 H Courtenay Jenifer : THIS DEED Made this 12th day of May in the year one thousand
Deed to Felix Licefi : nine hundred and forty-eight by and between H Courtenay Jenifer
US \$1.10 SS \$1.10 : Trustee as hereinafter set forth of Baltimore County State of
----- Maryland party of the first part and Felix Licefi party of the
second part

WHEREAS the said H Courtenay Jenifer Trustee under and by virtue of a deed dated August 13 1937 and recorded among the Land Records of Baltimore County in Liber C W B Jr No 1019 folio 467 from Alice V Riddel widow was authorized and empowered to sell all or any part of the property therein described and further said deed provided that from and immediately after the death of said Alice V Riddel the said Trustee was directed and authorized to sell said properties or any portion thereof remaining under the jurisdiction of the Circuit Court for Baltimore County in Equity all of which is more particularly set forth in the aforesaid deed and

WHEREAS the said Alice V Riddel having subsequently departed this life upon the Petition of the said Trustee dated June 14 1943 the Circuit Court for Baltimore County in Equity assumed the jurisdiction over said trust estate (See Equity Docket 44 folio 216) and

WHEREAS the property hereinafter described has been sold to the party of the second part for the sum of Six Hundred Dollars the sale thereof having been finally ratified and confirmed on the twenty-seventh day of April 1948 wherefore the said Trustee is authorized on the payment of the money aforesaid to execute these presents

NOW THEREFORE THIS DEED WITNESSETH that in consideration of the premises and the sum of Six Hundred Dollars the receipt whereof is hereby acknowledged the said party of the first part Trustee as aforesaid acting in pursuance of the power and authority conferred upon him as aforesaid by said deed of trust and Order of Court hereinbefore mentioned does hereby grant and convey unto the said Felix Licefi his heirs and assigns in fee simple all those three lots or parcels of ground situate lying and being in the Twelfth Election District of Baltimore County State of Maryland and described as follows that is to say

BEING known and designated as Lots known and designated as Lots Nos 39 40 and 41 as shown on the Plat of East View which said Plat is recorded among the Land Records of Baltimore County in Plat Book L McL M No 9 folio 117

BEING part of that property which by deed dated August 13 1937 and recorded among the Land Records of Baltimore County in Liber C W B Jr No 1019 folio 467 was granted and conveyed by Alice V Riddel widow unto H Courtenay Jenifer Trustee

TOGETHER with the buildings and improvements thereupon and the rights alleys ways waters privileges appurtenances and advantages to the same belonging or in anywise appertaining

TO HAVE AND TO HOLD said lots of ground and premises unto and to the use of the said Felix Licefi his heirs and assigns in fee simple

WITNESS the hand and seal of the within named grantor

TEST Margaret M Weis H Courtenay Jenifer (SEAL)
STATE OF MARYLAND BALTIMORE COUNTY Trustee to wit

I HEREBY CERTIFY that on this 12th day of May 1948 before me the subscriber a Notary Public

NOTARY PUBLIC'S

1 3

of the State of Maryland in and for the County aforesaid personally appeared H Courtenay Jenifer Trustee as aforesaid the within named grantor and he acknowledged the foregoing deed to be his act as such Trustee

AS WITNESS my hand and notarial seal

(Notarial Seal)

Margaret M Weis

Notary Public

Rec May 20 1948 at 11:30 A M & exd per T Braden Silcott Clerk (Rec by BLM) Exd CH & DC

54630 Herman Bailey Deviney et al : THIS DEED Made this 18th day of May in the year one
Deed to Robert E Younger : thousand nine hundred and forty-eight by and between
US \$4.95 SS \$4.95 : Herman Bailey Deviney and Jessie Verlin Deviney his
wife of Baltimore County in the State of Maryland of
the first part and Robert E Younger of Baltimore County in the State of Maryland of the second
part

Witnesseth that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations the receipt whereof is hereby acknowledged the said Herman Bailey Deviney and Jessie Verlin Deviney his wife do grant and convey unto the said Robert E Younger his heirs and assigns in fee simple all that lot of ground situate lying and being in Baltimore County State of Maryland aforesaid and described as follows that is to say

BEING more particularly described as Lot No 2 as shown on Plat of Aero Acres Section 1 dated August 1 1946 recorded among the Land Records of Baltimore County in Plat Book No C H K No 13 folio 139 The improvements thereon being known as No 3 Dihedral Drive

BEING the same lot of ground which by Deed dated September 30 1946 and recorded among the Land Records of Baltimore County in Liber R JS No 1508 folio 252 was granted and conveyed by The Glenn L Martin Company to Herman Bailey Deviney and Jessie Verlin Deviney his wife the within Grantors

Together with the buildings and improvements thereupon erected made or being and all and every the rights alleys ways waters privileges appurtenances and advantages to the same belonging or anywise appertaining

To Have and To Hold the said lot of ground and premises above described and mentioned and hereby intended to be conveyed together with the rights privileges appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Robert E Younger his heirs and assigns in fee simple

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act matter or thing whatsoever to encumber the property hereby conveyed that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite

Witness the hands and seals of said grantors

TEST

Herman Bailey Deviney

(SEAL)

Gertrude Lyons McNeil

Jessie Verlin Deviney

(SEAL)

STATE OF MARYLAND

CITY OF BALTIMORE

to wit

I HEREBY CERTIFY That on this 18th day of May in the year one thousand nine hundred and forty-eight before me the subscriber a Notary Public of the State of Maryland in and for the City of Baltimore aforesaid personally appeared Herman Bailey Deviney and Jessie Verlin Deviney his wife the above named Grantors satisfactorily proven to be the persons whose names are subscribed to the within instrument and they acknowledged the foregoing Deed to be their act and Deed and that they executed the same for the purposes therein contained

As Witness my hand and Notarial Seal

(Notarial Seal)

My commission expires May 2 1949

Gertrude Lyons McNeil

Notary Public

THIS DEED, Made this 23rd day of December, 1961, by and between LAWRENCE A. LICEFI and BONNIE H. LICEFI, his wife, of the first part; ROSE LICEFI, widow, of the second part, and JANE LOWELL, single, of the third part, all of Baltimore County in the State of Maryland.

WITNESSETH, That in consideration of the sum of \$5.00, the receipt whereof is hereby acknowledged, the said parties of the first and second parts do hereby grant and convey unto the party of the third part, her heirs and assigns, in fee simple, all those lots or parcels of ground, situate, lying and being in Baltimore County in the State of Maryland, and described as follows, that is to say:

Beginning for the first thereof and being all those 3 lots or parcels of ground known and designated as Lots Nos. 39, 40 and 41 as shown on the Plat of East View which plat is recorded among the land records of Baltimore County in Plat Book Liber LMc.L.M. No. 9, folio 117.

The improvements thereon now being known as No. 7616 Cypress Avenue.

Being the same parcel of land which by deed dated May 12, 1948, and recorded among the aforesaid land records in Liber T.B.S. No. 1657, folio 492, was conveyed in fee simple from H. Courtenay Jenifer, Trustee to Felix Licefi, now deceased.

Beginning for the second thereof and being all those 3 lots or parcels of ground known and designated as Lots Nos. 42, 43 and 44 as shown on the Plat of East View which plat is recorded among the land records of Baltimore County in Plat Book Liber LMc.L.M. No. 9, folio 117.

The improvements thereon now being known as Nos. 7618 and 7620 Cypress Avenue.

Being the same parcel of land which by deed dated March 10, 1950 and recorded among the aforesaid land records in Liber T.B.S. No. 1829, folio 49, was conveyed in fee simple from Adolph R. Eyring and his wife to Felix Licefi, now deceased.

For title see the Last Will and Testament of Felix Licefi, who departed this life on or about March 1, 1961, on file in the Office of the Register of Wills for Baltimore County in Liber J.P.C. No. 20, folio 215. The said Rose Licefi, widow of the aforesaid decedent, joins herein for the sole and express purpose of releasing and relinquishing any dower and statutory rights which she may have in the herein described property.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE and TO HOLD the said lots of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said JANE LOWELL, her heirs and assigns, in fee simple.

AND the said parties of the first and second parts hereby covenant that they have not done or suffered to be done any act, matter or thing that would, in any manner, encumber the property hereby conveyed; that they will defend and maintain the property granted and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the said grantors.

TEST:

Ernest C. Trimble (SEAL)
Ernest C. Trimble

Lawrence A. Licefi (SEAL)
Lawrence A. Licefi

Bonnie H. Licefi (SEAL)
Bonnie H. Licefi

Rose Licefi (SEAL)
Rose Licefi

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, That on this 23rd day of December, 1961, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, aforesaid, personally appeared Lawrence A. Licefi and Bonnie H. Licefi, his wife, and Rose Licefi, widow, the above named grantors, and they acknowledged the foregoing Deed to be their act.

AS WITNESS my hand and Notarial Seal.

Ernest C. Trimble
Notary Public

TRANSFER TAX NOT REQUIRED

Norman W. Wood
Director of Finance

Per: Norman W. Wood
Authorized Signature

For record FEB 7 1962
Recorder, Clerk

Lawrence A. Licefi
221864

THIS DEED, Made this 23rd day of December, 1961, by and between JANE LOWELL, single, of Baltimore County in the State of Maryland, of the first part, and LAWRENCE A. LICEFI and BONNIE H. LICEFI, his wife, of the same place, of the second part.

WITNESSETH, That in consideration of the sum of \$5.00, the receipt whereof is hereby acknowledged, the said party of the first part doth hereby grant and convey unto the said parties of the second part as tenants by the entireties and to the survivor of them, his or her heirs and assigns, in fee simple, all those lots or parcels of ground, situate, lying and being in Baltimore County in the State of Maryland, and described as follows, that is to say:

Being the same two lots or parcels of ground which by deed of even date herewith and recorded or intended to be recorded among the land records of Baltimore County, were granted and conveyed from Lawrence A. Licefi and Bonnie H. Licefi, his wife and Rose Licefi, widow, unto the grantor herein, and to which deed reference is hereby made for a more fully and complete description of the property hereby conveyed.

Together with the buildings and improvements thereupon erected, made of being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE and TO HOLD the said lots of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Lawrence A. Licefi and Bonnie H. Licefi, his wife, as tenants by the entireties, and to the survivor of them, his or her heirs and assigns, in fee simple.

AND the said party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property granted and that she will execute such further assurances of the same as may be requisite.

WITNESS the Hand and Seal of the said grantor.

TEST:

Ernest C. Trimble
Ernest C. Trimble

Jane Lowell (SEAL)
Jane Lowell

BAITTHOPE COUNTY)
STATE OF MARYLAND) to wit:

I HEREBY CERTIFY, That on this 23rd day of December, 1961,
before me, the subscriber, a Notary Public in and for the county and state
aforesaid, personally appeared JANE LOWELL, the above named grantor, and
she acknowledged the foregoing Deed to be her act.

As Witness my hand and Notarial Seal.

Ernest C. Trimble
Notary Public

Recorded FEB 7 1962
Clerk

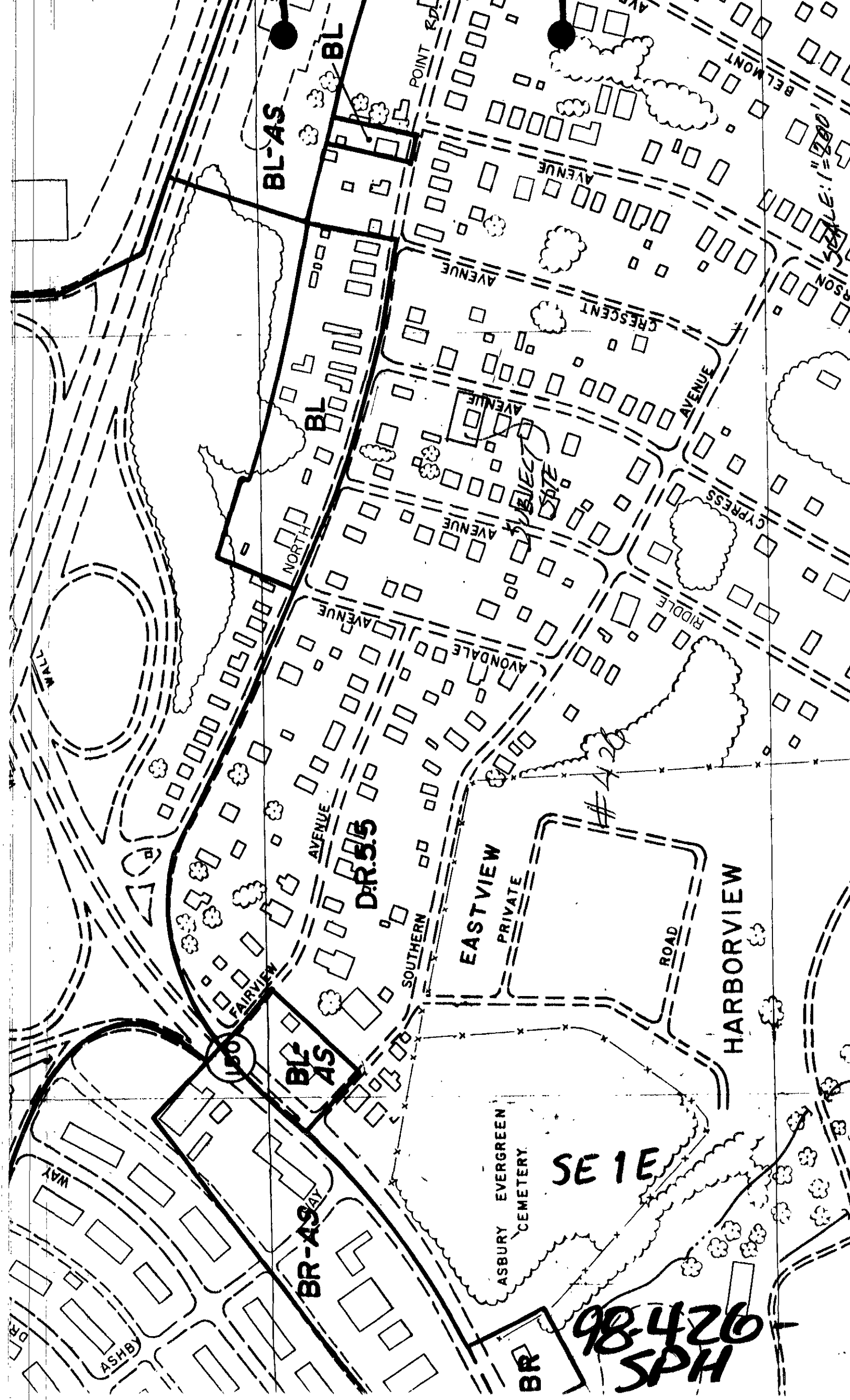
AT 11:40 AM

Lawrence A. Lippert
221843

TRANSFER TAX NOT REQUIRED.

Norman W. Wood
Director of Finance

Per: Norman W. Wood
Authorized Signature



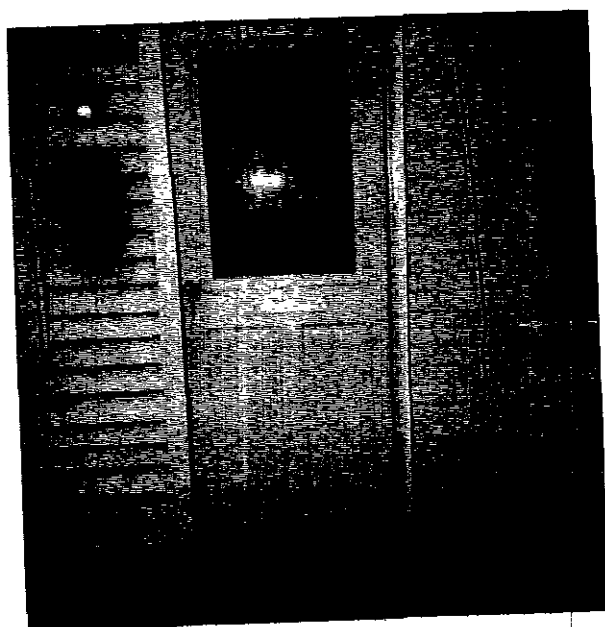
Petitioner's
Ex 5A-5F
photographs
98-436-5A



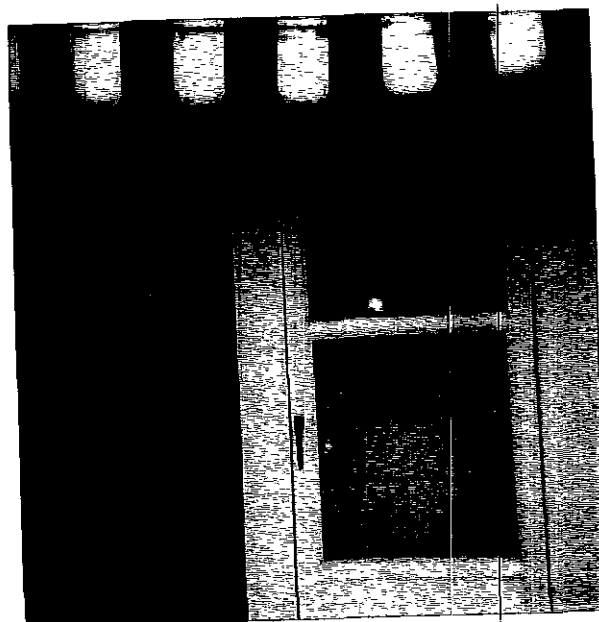
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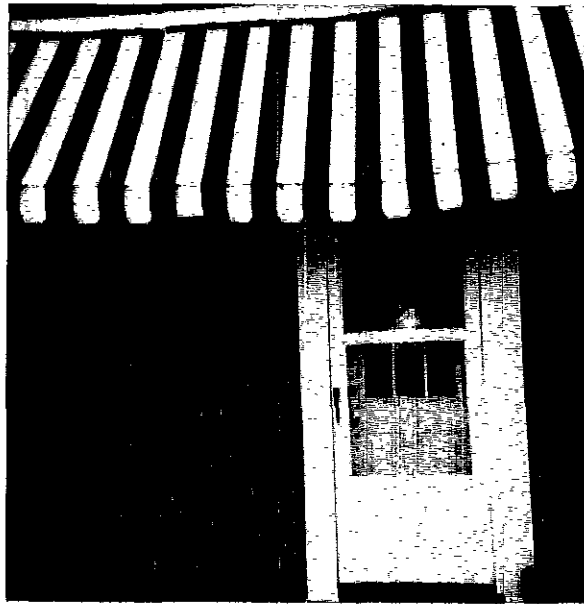
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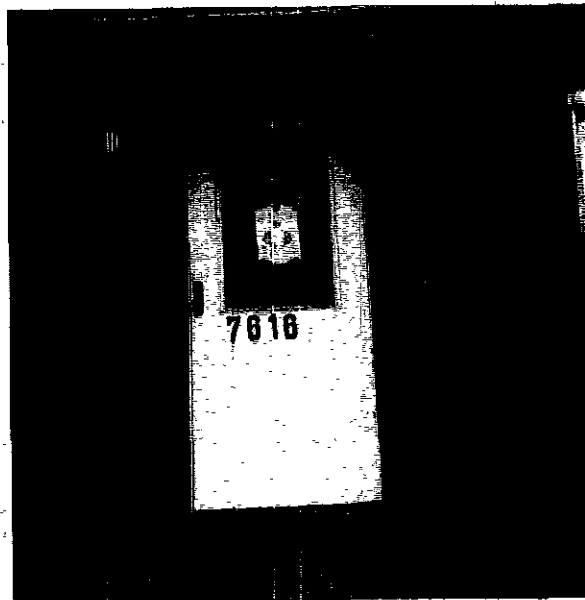
5C



5B



Pet Ex 5A



5F

